

REMARKS

Upon entry of the foregoing Amendment, claims 3-20, 24-37, 40-49, and 52-54 are pending in the application. Claims 24-31, 37, 40-44, and 52-54 have been amended. No claims have been cancelled or newly added. Applicant believes that this Amendment does not add new matter. In view of the foregoing Amendment and the following Remarks, allowance of all the pending claims is requested.

EXAMINER INTERVIEW

In a telephonic discussion with the Examiner on June 30, 2009, the Examiner proposed amending the claims in the manner indicated above to place the application in condition for allowance. As such, pursuant to 37 C.F.R. § 1.111(a)(2)(i)(B)-(C), this Supplemental Response should be entered because the Examiner requested that Applicants submit this Supplemental Response with the foregoing claim amendments to place the application in condition for allowance. Notice to that effect is respectfully requested.

REJECTION UNDER 35 U.S.C. § 112, SECOND PARAGRAPH

The Examiner has rejected claims 3-20, 24-37, 40-49, and 52-54 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

In particular, regarding independent claim 24, the Examiner alleges that “the source of ‘top analysts that have a current estimate for the user-selected security is not clear,’ and questions whether “the term ‘current estimate’ . . . [means] analysts’ historical estimates or analysts’ estimates for one or more future events or some other estimate?” Applicant initially notes that this rejection is improper for at least the reason that the feature of “top analysts” appears nowhere in the claim. Nonetheless, solely for purposes of expediting prosecution of this application, Applicant has amended independent claim 24 to further clarify that the “information relating to the one or more analysts’ current estimates for one or more future events” is retrieved “from a database operatively connected to a computer.” Accordingly, for

at least the reason that amended independent claim 24 fully addresses the alleged basis for the rejection, the rejection should be withdrawn.

Regarding independent claim 25, the Examiner alleges that “the source of ‘analysts that have a predetermined track record of estimates for the user-selected security is not clear.’” Applicant notes that this rejection is also improper for at least the reason that the feature of “a predetermined track record of estimates” appears nowhere in the claim. Thus, for at least the reason that the alleged basis for the rejection focuses on language that does not appear in the claim, the rejection should be withdrawn.

Regarding independent claim 26, the Examiner alleges that “the limitation ‘other information relating to the user-selected security” is unclear (emphasis in original). Solely for purposes of expediting prosecution of this application, and without acknowledging the propriety of the alleged basis for the rejection, Applicant notes that independent claim 26 has been amended to delete the feature relating to “other information relating to the user-selected security.” Accordingly, for at least the reason that amended independent claim 26 fully addresses the alleged basis for the rejection, the rejection should be withdrawn.

Regarding independent claims 27-31, the Examiner alleges that “the source of ‘whether an [sic] the analyst’s estimate is above or below a current estimate’” is unclear. Solely for purposes of expediting prosecution of this application, and without acknowledging the propriety of the alleged basis for the rejection, Applicant notes that independent claims 27-30 have been amended to clarify that “the consensus estimate is determined from the plurality of analysts’ current estimates for the one or more future events.” Accordingly, for at least the reason that amended independent claims 27-31 fully address the alleged basis for the rejection, the rejection should be withdrawn.

In addition, regarding independent claims 31 and 43-44, the Examiner further alleges that “the source of ‘analysts whose historical accuracy satisfies a predetermined threshold’ is not clear.” Solely for purposes of expediting prosecution of this application, and without acknowledging the propriety of the alleged basis for the rejection, Applicant notes that independent claims 31 and 43-44 have been amended to clarify that in response to determining “one or more of the user-selected analysts whose historical accuracy satisfies a

predetermined threshold," information relating to "the one or more user-selected analysts whose historical accuracy satisfies the predetermined threshold" is displayed. Accordingly, for at least the reason that amended independent claims 31 and 43-44 fully address the alleged basis for the rejection, the rejection should be withdrawn.

Regarding independent claim 37, the Examiner alleges that "the source of 'the order in which the analysts appear is based on a rating of the analysts' is not clear. Solely for purposes of expediting prosecution of this application, and without acknowledging the propriety of the alleged basis for the rejection, Applicant notes that independent claim 37 has been amended to clarify that "a rating for the one or more analysts [is determined] based, in part, on the historical accuracy determined for the one or more analysts . . . , wherein the user-selected analysts are displayed in an order based on the rating determined for the user-selected analysts." Accordingly, for at least the reason that amended independent claim 37 fully addresses the alleged basis for the rejection, the rejection should be withdrawn.

Regarding independent claims 40-43, the Examiner alleges that "the source of 'whether a numerical value associated with the analyst's current recommendation is above or below a numerical value associated with a consensus estimate for the at least one security' is not clear. Solely for purposes of expediting prosecution of this application, and without acknowledging the propriety of the alleged basis for the rejection, Applicant notes that independent claims 40-43 have been amended to clarify the manner in which "a numerical value associated with a consensus recommendation for the one or more securities" and "a numerical value associated with the one or more user-selected analysts' current recommendations with respect to at least one security" are determined, thereby clarifying the source for indicating "whether the numerical value associated with the analyst's current recommendation with respect to the at least one security is above or below the numerical value associated with the consensus recommendation for the at least one security." Accordingly, for at least the reason that amended independent claims 40-43 fully addresses the alleged basis for the rejection, the rejection should be withdrawn.

Regarding independent claims 52-54, the Examiner alleges that "the source of 'model information relating to the use of the analyst's estimate in an aggregation prediction model'" is

unclear. Solely for purposes of expediting prosecution of this application, and without acknowledging the propriety of the alleged basis for the rejection, Applicant notes that independent claims 52-54 have been amended to clarify the manner in which various exclusion or weighting factors may be applied to estimates in an aggregation prediction model, thereby clarifying the source for indicating the use of the analyst's estimate in the aggregation prediction model. Accordingly, for at least the reason that amended independent claims 52-54 fully addresses the alleged basis for the rejection, the rejection should be withdrawn.

REJECTION UNDER 35 U.S.C. § 101

The Examiner has rejected claims 3-20, 24-37, 40-49, and 52-54 under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. In particular, the Examiner alleges that "method claims 3-20, 24-37, 40-49, and 52-54 do not fall in the process category" because "the preamble of the independent claims recite 'A computer-implemented method for displaying information' which implies that displaying information is a critical or central step in the method. However the step of displaying . . . does not appear to be performed by a particular apparatus." Office Action, pages 9-12.

Although Applicant disagrees with the propriety of the alleged basis for the rejection, for the Examiner is improperly reading limitations into what qualifies as statutory subject matter under 35 U.S.C. § 101, solely for purposes of expediting prosecution of this application, Applicant has amended claims 24-31, 37, 40-44, and 52-54 to further clarify the invention. In particular, each of the independent claims have been amended to recite that displaying information simultaneously is performed "on a display device operatively connected to the computer."

In addition, as noted by Applicant and acknowledged by the Examiner in the telephonic discussion on June 30, 2009, Applicant notes that the "display device" recited in the amended independent claims may be remote from the "computer" recited therein. That is, although the independent claims recite that the information is simultaneously displayed "on a display device operatively connected to the computer," it will be apparent that the feature of "displaying simultaneously" in fact results from functionality performed by the computer. *See, e.g.,*

Specification, page 12, line 7 – page 13, line 10 (describing hardware and software components on a server computer that “enables analysis, use and display” of data stored in a database).

Accordingly, for at least the reason that amended independent claims 24-31, 37, 40-44, and 52-54 are clearly tied to another statutory class, reciting the use of “a computer” in addition to “a database” and “a display device” operatively connected to the computer, Applicant requests that the Examiner withdraw this rejection of the claims.

CONCLUSION


Having addressed each of the foregoing rejections, it is respectfully submitted that a full and complete response has been made to the outstanding Office Action. As such, the application is in condition for allowance. Notice to that effect is respectfully requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

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Respectfully submitted,

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